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ATTORNEYS FOR ADDITIONAL PETITIONING CREDITORS

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
ALWAYS AT MARKET, INC.,	§	CASE NO. 13-41973
	§	
Debtor.	§	

**JOINDER IN INVOLUNTARY PETITION BY CREDITORS
DAVID L. JOHNSTON, RUSSELL J. RAMSLAND, JR., AS
AGENT FOR RAMSLAND INTERESTS, AND WILLIAM K. FLAKE**

TO THE HONORABLE BRENDA K. RHOADES,
UNITED STATES BANKRUPTCY JUDGE:

NOW COME David L. Johnston, Russell J. Ramsland, Jr., as agent for Ramsland Interests, and William K. Flake and file their Joinder in the Involuntary Petition filed by the Petitioning Creditors in docket entry number 1, and in support thereof would respectfully show the Court as follows:

1. This Involuntary case commenced against the Debtor by the filing of an Involuntary Petition on August 13, 2013 (Docket entry no. 1).
2. The Involuntary case has not been dismissed, and no relief has yet been ordered.
3. Accordingly, pursuant to the provisions of Bankruptcy Code § 303(c) David L. Johnston, Russell J. Ramsland, Jr., as agent for Ramsland Interests, and William K. Flake

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(collectively referred to hereafter as the “Additional Petitioning Creditors”) timely file their Joinder in the Petition with the same effect as if they were one of the original petitioning creditors under Bankruptcy Code § 303(b).

4. The claim of David L. Johnston is evidenced by five (5) Senior Secured Promissory Notes dated May 17, 2011, in the amount of \$100,000.00 each, for an aggregate claim of \$500,000.00 plus interest, secured by the Commercial Security Agreement dated May 17, 2011, and David L. Johnston’s claim is not contingent as to liability or the subject of a bona fide dispute as to liability or amount, and the claim of David L. Johnston is at least \$14,425.00 more than the value of any lien on property of the Debtor securing his claim.

5. The claim of Russell J. Ramsland, Jr., as agent for Ramsland Interests is evidenced by two (2) Senior Secured Promissory Notes dated May 17, 2011, one in the amount of \$120,000.00 and one in the amount of 100,000.00, for an aggregate claim of \$220,000.00 plus interest, secured by the Commercial Security Agreement dated May 17, 2011, and Russell J. Ramsland, Jr., as agent for Ramsland Interests’ claim is not contingent as to liability or the subject of a bona fide dispute as to liability or amount, and the claim of Russell J. Ramsland, Jr., as agent for Ramsland Interests is at least \$14,425.00 more than the value of any lien on property of the Debtor securing his claim.

6. The claim of William K. Flake is evidenced by two (2) Senior Secured Promissory Notes dated May 17, 2011, in the amount of \$50,000.00, for an aggregate claim of \$50,000.00 plus interest, secured by the Commercial Security Agreement dated May 17, 2011, and William K. Flake’s claim is not contingent as to liability or the subject of a bona fide dispute as to liability or amount, and the claim of William K. Flake is at least \$14,425.00 more than the

value of any lien on property of the Debtor securing his claim.

7. The Additional Petitioning Creditors are eligible to file this Petition, and the Debtor is a person against whom an order for relief may be entered, and the Debtor is generally not paying such of Debtor's debts as they become due.

WHEREFORE, PREMISES CONSIDERED, the Additional Petitioning Creditors request that an order for relief be entered against the Debtor under Chapter 7 of Title 11, United States Code.

Respectfully submitted,

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By: /s/ Dennis Olson

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PETITIONING CREDITORS

STATEMENT

Petitioners declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

<u>/s/ David L. Johnston</u> David L. Johnston	<u>11/20/2013</u> Date
<u>/s/ Russell J. Ramsland, Jr.</u> Russell J. Ramsland, Jr., as agent for Ramsland Interest	<u>11/20/2013</u> Date
<u>/s/ William K. Flake</u> William K. Flake	<u>11/20/2013</u> Date

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Notice of Appearance and Request for Service of Papers was served upon:

Weldon L. Moore, III
8333 Douglas Avenue, Suite 1525
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via electronic means or by U.S. First Class Mail, on the 20th day of November, 2013.

/s/ Dennis Olson
Dennis Olson